

From: mcollins@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/25/02 2:58am
Subject: Microsoft settlement

I am writing to express my concern regarding the settlement terms agreed to by Microsoft and the United States Department of Justice. It is my opinion that the settlement will do nothing to dissuade the leaders of company with a pathetic history of anti-competitive and illegal behavior from continuing in their ways, nor does it provide any relief for consumers who have seen every component associated with personal computers except the operating system improve in both value and reliability over the past twenty years. It is virtually impossible to buy or use a computer at this point in time without incurring costs directly related to Microsoft's dominating position in the industry, a position which has been found repeatedly to have been gained in part through illegal means.

Any effective remedy must at the very least fulfill these objectives:

1. It must prohibit Microsoft from further increasing its reach into other markets simply because it has gained control of the computing environment to an almost exclusive extent through illegal and anti-competitive means.
2. It must force Microsoft to allow true competition to be restored to the computing industry. This would include, but not necessarily be limited to, requiring Microsoft to abide by published standards and protocols and to publish its internal protocols and formats for utility software products (such as Word, Excel and other Microsoft Office packages), with substantial punishment specified for any infractions.
3. It must provide suitable punitive measures to discourage future illegal and anti-competitive actions. This is essential, I believe, not only to finally convince Microsoft of their obligation to compete fairly, but also to prevent other corporations from attempting to dominate using illegal and anti-competitive tactics as Microsoft has.

Any settlement terms which do not encompass the three objectives listed above would deeply affect my confidence in the government's willingness to ensure that our free market operates fairly for all. The settlement which the Department of Justice has approved does little to convince me that individuals unhindered by ethical standards cannot do business without regard for legal boundaries, provided they possess sufficient wealth to influence those elected to enforce the law.

Sincerely,

Michael P. Collins

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